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Regional Freedom of Information Officer
U.S. EPA, Region 6
1445 Ross Avenue (ORC-DF)
Dallas, TX 75202-2733

Via [FOIAonline.gov](https://www.foiaonline.gov)

**Re: Freedom of Information Act Request for TCEQ Permit No. 122362, PST
Permit No. PSDTX1430M2, Permit No. GHGPSDTX209.**

Dear FOIA Officer:

This is a Freedom of Information Act request pursuant to 5 U.S.C. § 552 to the Environmental Protection Agency (“EPA”). This request is made on behalf of the Ingleside on the Bay Coastal Watch Association, a non-profit working to preserve our community's high quality of life by developing strategic partnerships, fostering innovative approaches, and pursuing funding designed to position Ingleside on the Bay as a resilient coastal community able to mitigate the negative effects of rising sea levels, larger and more frequent ship traffic, and rapid industrialization. We request a waiver or reduction of any FOIA charges because providing the information primarily benefits the general public.

Request for Information

This request is related to Applicant MODA Ingleside LLC, CN605745140, RN101225746, and TCEQ Permit No. 122362, PST Permit No. PSDTX1430M2, Permit No. GHGPSDTX209.

We would like to request the following non-confidential information related to the above permits:

1. Any and all material regarding calls, including the monthly calls, between the EPA and the TCEQ. Material requested includes but is not limited to notes, agendas, minutes, transcripts, emails, and any other documents. As an example, we are aware of the following dates of monthly calls: May 25, 2021 and June 22, 2021.

If the information exists in an electronic format, please provide it in an electronic format to elena@txenvirolaw.com.

If any of the public information requested in this request once existed but has since been destroyed, disposed of or not retained, please explain the circumstances of that destruction/non-retention and produce a copy of the policy that governs the retention or destruction in question.

Request for Fee Waiver or Reduced Charges

On behalf of the Ingleside on the Bay Coastal Watch Association, I request that any fees associated with this request to be waived as provided for by the Freedom of Information Act, 5 U.S.C. § 552(a)(4)(A)(iii), which provides:

Documents shall be furnished without any charge or at a charge reduced below the fees established under clause (ii) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

Disclosure of the requested information will contribute significantly to the public understanding of the EPA's procedures on its projects and permit processes, as well as the public's understanding of the permit process themselves and their impact on the natural environment. The request is not in the commercial interest of the Ingleside on the Bay Coastal Watch Association, a non-profit organization, nor will any financial benefit accrue to Ingleside on the Bay Coastal Watch Association from the possession or release of the requested information.

The requested information will be useful to informing members of the Ingleside on the Bay Coastal Watch Association, the Ingleside community, and Texans in general, about the environmental impacts of the above-referenced permit and EPA's processes. Many in our community rely on Ingleside on the Bay Coastal Watch Association to obtain this type of information and make it available to the wider community.

If the fee waiver request is denied, I request that the EPA provide a cost estimate prior to completing this FOIA request.

It is not my intention that this request be unduly burdensome. Please do not hesitate to call me if you have any questions about this request or if I can alter this request in some manner that would make it less burdensome for you.

Thank you kindly for your assistance in this matter.

Sincerely,

Elena Solimano
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(281) 414-4632